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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,607	03/31/2004	James Christopher Matayabas JR.	42P18765	9674
8791 7590 08/14/2007 BLAKELY SOKOLOFF TAYLOR & ZAFMAN 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040			EXAMINER	
			VISCONTI, GERALDINA	
			ART UNIT	PAPER NUMBER
			1752	
			MAIL DATE	DELIVERY MODE
			08/14/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 6-8-07.  U.S. Patent and Trademark Office  Paper No(s)/Mail Date PRIMARY EXAMINED  Disclosure Statement(s) (PTO/SB/08)  Other:  Disclosure Statement(s) (PTO/SB/08)  Other:			Application No.	Applicant(s)				
Carridona Viscontal   1752		Office Action Occurs	10/815,607	MATAYABAS ET AL.				
The MALING DATE of this communication appears on the cover sheet with the correspondence address − Period for Reply  A SHONTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ③ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Edelesions of the many be excited used the processor of J CPR 1-18(9). In or averal, however, may seep be timely filed  ## NO period for reply is pacified above, the maximum statutory parted will apply and will superior SIX (8) MONTHS from the mailing date of this communication, produce any superior status of the processor of		Office Action Summary	Examiner	Art Unit				
Period for Reply  A SHORTHNED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILURD DATE OF THIS COMMUNICATION.  For the property of the property of the mailing date of this communication, and the styre of the property of the								
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  - Edentions of time may be available under the provides of 37 CFR 1.15(a), in a overt, however, may a reply be limitely filed after 50 (ii) MOVITES from the mailing date of this communication of the 50 (iii) MOVITES from the mailing date of this communication.  - Failure to many which the adv a cardended period for syndy will by stating, came the application become AB4PADCHD 51 U.S.C. § 1313.  - Any reply received by the Office later than three menths after the mailing date of this communication, even if timely filed, may reduce any earned patient them adjustment. Best 57 CFR 1.70(b).  - Status  1) □ Responsive to communication(s) filed on 08								
Status  1) Responsive to communication(s) filed on 08 June 2007.  2a) This action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 2.5-8 and 49-54 is/are pending in the application.  4a) Of the above claim(s) is/are allowed.  5) Claim(s) is/are allowed.  6) Claim(s) 2.5-8 and 49-54 is/are rejected.  7) Claim(s) is/are objected to.  8) Claim(s) 2.5-8 and 49-54 is/are rejected.  7) Claim(s) is/are objected to.  8) Claim(s) 2.5-8 and 49-54 is/are rejected.  7) Claim(s) is/are objected to by the Examiner.  4Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * C) None of:  1 Certified copies of the priority documents have been received.  2 Certified copies of the priority documents have been received in Application No.  3 Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachingstud.  Attachingstud.  Attachingstud.  Application Faeral Diawing Review (PTO-948)  5) Information Bucloouer Statement(s) (PTO/SB06)  5) Ohder of International Paeral Application Pilimary Examiner.  6) Ohen:  Preper Volo/Mal Date.  Pr	WHIC - Exte after - If NC - Failt Any	CHEVER IS LONGER, FROM THE MAILING I nsions of time may be available under the provisions of 37 CFR 1 SIX (6) MONTHS from the mailing date of this communication. O period for reply is specified above, the maximum statutory period reto reply will, by stature to reply within the set or extended period for reply will, by stature to reply within the set or extended period for reply will, by stature to reply within the set or extended period for reply will, by stature to reply will be office later than three months after the mailing the set of the s	DATE OF THIS COMMUNICATIO .136(a). In no event, however, may a reply be to d will apply and will expire SIX (6) MONTHS fro te, cause the application to become ABANDON	DN. limely filed m the mailing date of this communication. IED (35 U.S.C. § 133).				
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This office action is responsive to the Amendment and Remarks, in conjunction with the Information Disclosure Statement, filed 8 June 2007. Claim 1 has been canceled. Claim 54 has been added. Claims 2, 5-8 and 49-54 are pending and presently under consideration in this application.

## Claim Rejections - 35 USC § 112

- 1. The following is a quotation of the first paragraph of 35 U.S.C. 112:
  - The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.
- 2. Claims 2, 5-8 and 49-54 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The specification, as originally filed, does NOT support the invention as is now claimed, i.e., the composition containing the compound comprising *at least one liquid crystalline disrupting moiety* (emphasis added).

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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4. Claims 2, 5-8 and 49-54 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Claim 2 is rejected as being vague and indefinite when it recites the composition containing the compound comprising "at least one liquid crystalline disrupting moiety" (emphasis added); the specific group(s) encompassed by said moiety is not clear.

## Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 6. Claims 2, 5-8 and 49-54 are rejected under 35 U.S.C. 102(e) as being anticipated by any one of Matayabas et al. (U.S. Patent Application Publication No. 2005/0041406; claim 25), Matayabas et al. (U.S. Patent Application Publication No. 2005/0287355; figure5), Matayabas et al. (U.S. Patent Application Publication No. 2005/0288454; figure 2), OR Matayabas et al. (U.S. Patent No. 6,924,027 corresponding to U.S. Patent Application Publication No. 2004/0191503; claim 29).

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Each of the cited Matayabas et al. references discloses a composition comprising a filler as well as a compound comprising at least one epoxy ring inclusive of the recited formulae and having a melting point within the recited range.

The applied reference(s) have a common assignee/inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

7. Applicant's amendment to the claims on 8 June 2007 necessitated the new grounds of rejection under 35 U.S.C. 112. Applicant's submission of an information disclosure statement under 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p) on 8 June 2007 prompted the new ground(s) of rejection under 35 U.S.C. 102(e) presented in this Office action.

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 609.04(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Geraldina Visconti whose telephone number is (571) 272-1334. The examiner can normally be reached 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly can be reached on (571) 272-1526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

GERALDINA VISCONTI PRIMARY EXAMINER

Ghucha UnoL